

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

ROMAN ARAGON, *et al.*,

Defendants.

02 JUL 23 AM 11:05  
69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Rio Nutrias, Section 3

Subfile No(s) : CHNU-001-0003  
CHNU-002-0002  
CHNU-002-0007

**ORDER CORRECTING CLERICAL ERRORS**

THIS MATTER is before the Court on the June 28, 2002 motion (Docket No.6760) filed by the plaintiff, State of New Mexico, *ex rel.* State Engineer, for an order correcting clerical errors in the Consent Order(s) identified below in this cause.

The Court, being fully advised, finds the motion to correct clerical errors is well taken and should be granted.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Canjilon Creek, Section 3, are correctly set forth as follows:

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LUCIA A. MONTOYA  
ROBERT J. MONTOYA

**Subfile No.: CHNU-001-0003**

**A. Irrigated Lands (Surface Water Only)**

**Office of the State Engineer Files No(s)** 01975 A & B

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface Water of the Rio Nutrias, a tributary of the Chama River.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch Name:** Acequia Perfecto Esquibel

**Location X:** 1,587,164 feet **Y:** 2,043,785 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 01, Township 27N, Range 04E, N.M.P.M.

Pt. SW $\frac{1}{4}$	1.2 acres
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Section 02, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$ and Pt. of Lot 1	10.1 acres
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Total	11.3 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHNU-001-0003.

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**B. Irrigated Lands (Surface Water Only)**

**Office of the State Engineer Files No(s)** NONE

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface Water of the Terrero Creek, a tributary of the Rio Nutrias, a tributary of the Chama River.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch Name:** Tafoya/Esquibel

**Location X:** 1,575,841 feet **Y:** 2,035,698 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 02, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	0.6 acres
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Section 11, Township 27N, Range 04E, N.M.P.M.

Pt. NE¼	1.6 acres
Total	2.2 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHNU-001-0003.

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

LUCIA A. MONTOYA  
ROBERT J. MONTOYA

**Subfile No.: CHNU-002-0002**

**A. Irrigated Lands (Surface Water Only)**

**Office of the State Engineer Files No(s)** 015, 02752, 0313

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface Water of the Rio Nutrias, a tributary of the Chama River.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch Name:** Esquibel

**Location X:** 1,573,634 feet **Y:** 2,037,817 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 02, Township 27N, Range 04E, N.M.P.M.

Pt. of Lot 2	2.8 acres
Within the Tierra Amarilla Grant	1.3 acres
Total	4.1 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHNU-002-0002.

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**B. No Right (Surface Water Only)**

**Office of the State Engineer Files No(s)** NONE

**Priority:** NONE

**Source of Water:** Surface Water of the Rio Nutrias, a tributary of the Chama River.

**Purpose of Use:** NO RIGHT

**Point of Diversion:**

**Ditch Name:** Esquibel

**Location X:** 1,573,634 feet **Y:** 2,037,817 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 02, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$  0.6 acres

Total 0.6 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHNU-002-0002.

**Amount of Water:** NONE

LUCIA A. MONTTOYA  
ROBERT J. MONTTOYA

**Subfile No.:** CHNU-002-0007

**A. Irrigated Lands (Surface Water Only)**

**Office of the State Engineer Files No(s)** NONE

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface Water of the Terrero Creek, a tributary of the Rio Nutrias, a tributary of the Chama River.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch Name:** Vega

**Location X:** 1,572,542 feet **Y:** 2,036,202 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 11, Township 27N, Range 04E, N.M.P.M.

Pt. NW $\frac{1}{4}$  18.1 acres

Total 18.1 acres

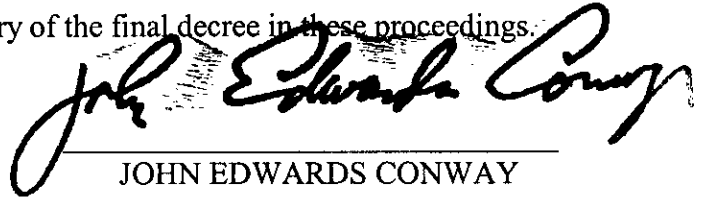
As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHNU-002-0007.

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

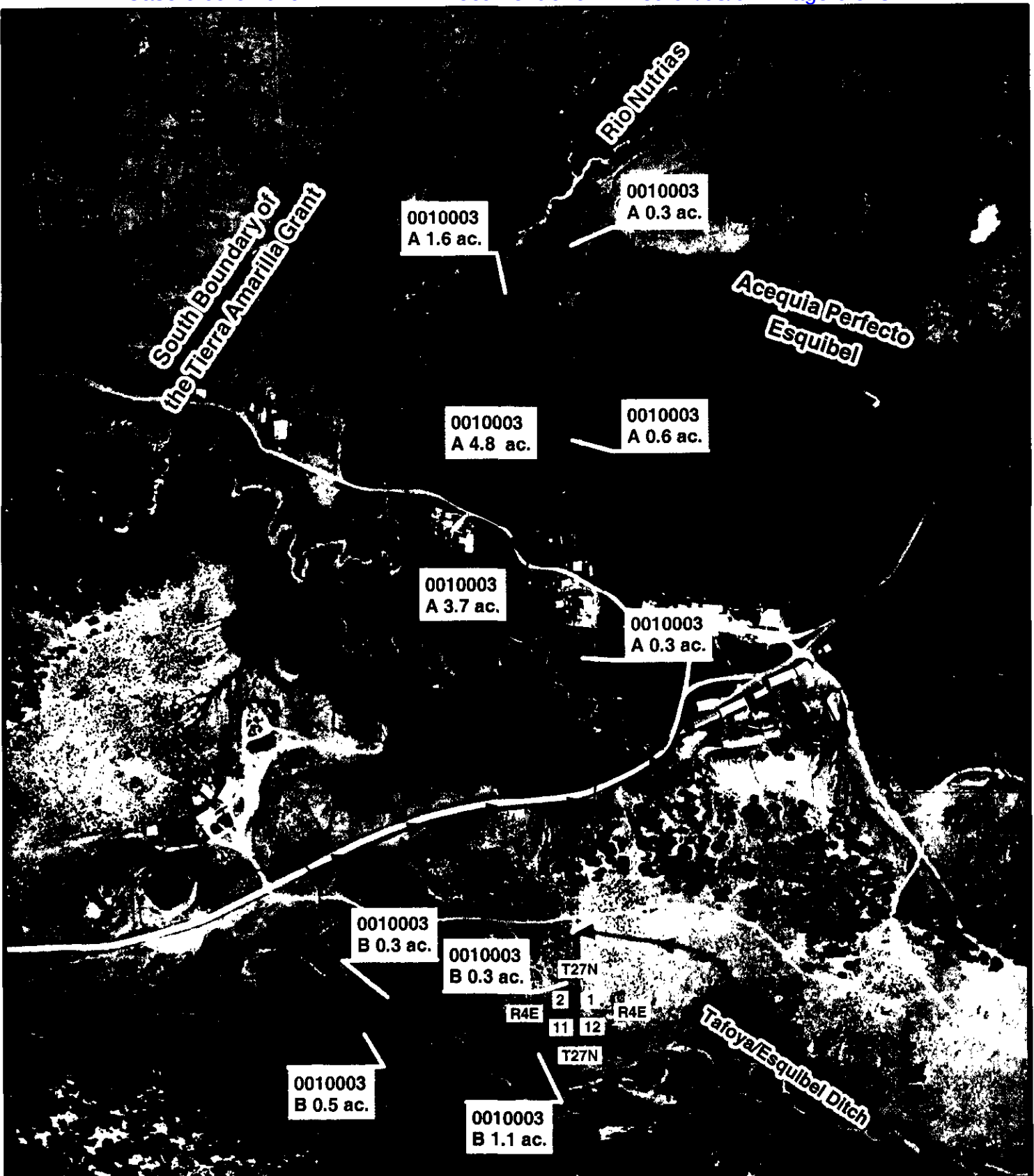
IT IS, THEREFORE, ORDERED that the above-named defendants, be and hereby are, adjudicated to have the water rights set out herein above, subject to the right of any other water rights claimant with standing to object prior to the entry of a final decree.

IT IS FURTHER ORDERED that the Defendants, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 3, except in strict accordance with the rights set forth herein or in other orders of the Court.

The court enters this order as a final judgment as to the elements of the Defendant's water rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in these proceedings.

A handwritten signature in black ink, reading "John Edwards Conway", is written over a horizontal line. The signature is cursive and stylized.

JOHN EDWARDS CONWAY  
UNITED STATES DISTRICT JUDGE



#### Legend

- Irrigated Tract Boundary
- - - No Right Tract Boundary
- ▶ Operable Ditch
- - - Inoperable Ditch
- Stock Pond / Reservoir
- Point of Diversion



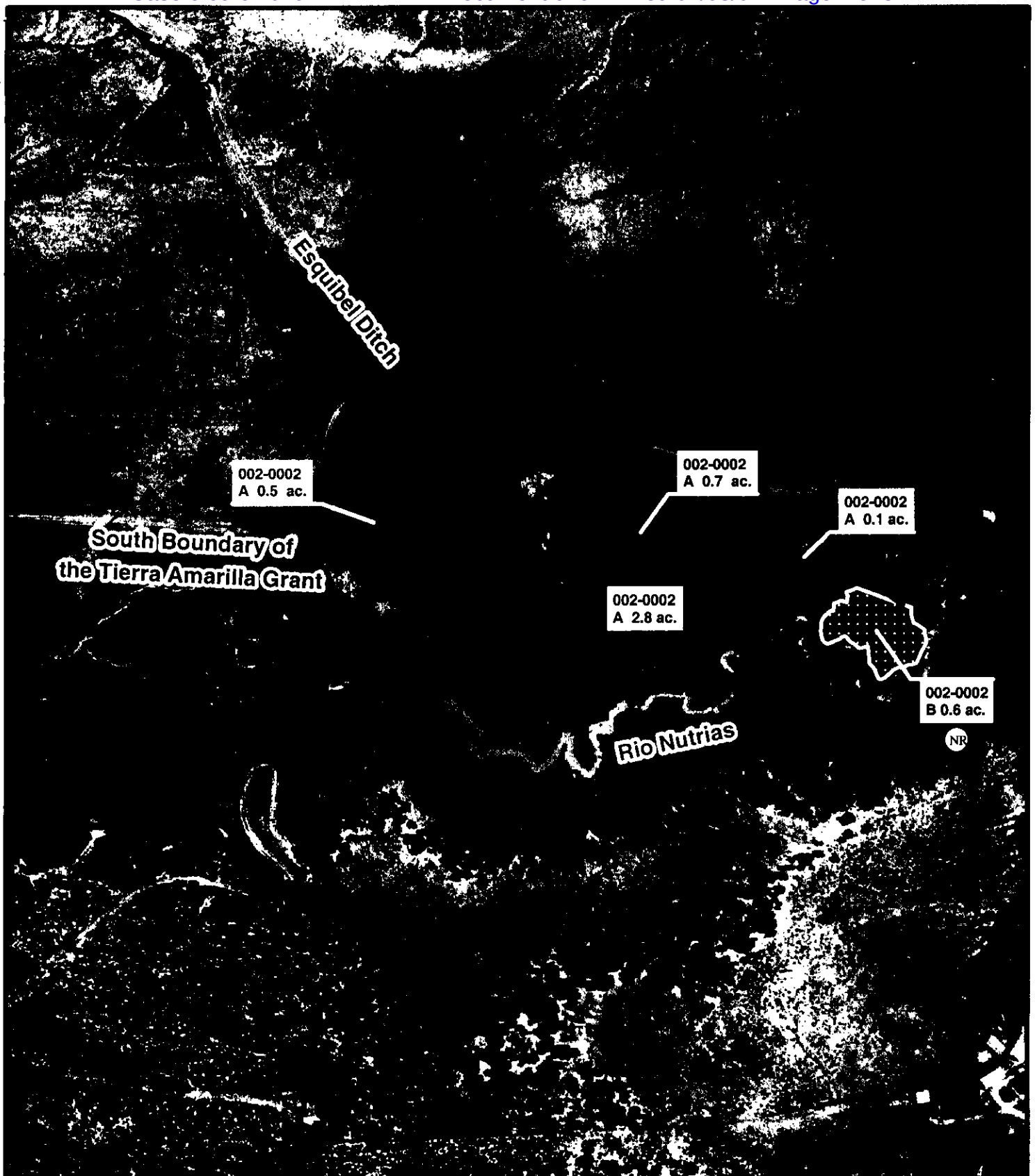
Scale 1"=400'  
0 50 100 200 300 400 Feet

STATE OF NEW MEXICO  
Office of the State Engineer  
Thomas C. Turney, State Engineer

Rio Chama Hydrographic Survey  
**RIO NUTRIAS SECTION**

Subfile CHNU-001-0003  
**Acequia Perfecto Esquibel  
& Tafoya/Esquibel Ditch**  
Amended July 27, 2001

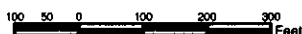




# Legend

- Irrigated Tract Boundary
- - No Right Tract Boundary
- Operable Ditch
- - Inoperable Ditch
- Stock Pond / Reservoir
- Point of Diversion

Scale 1"=300'



STATE OF NEW MEXICO  
Office of the State Engineer  
Thomas C. Turney, State Engineer

Rio Chama Hydrographic Survey  
**RIO NUTRIAS SECTION**

Subfile CHNU-002-0002  
Esquibel Ditch  
Amended July 23, 2001





**Legend**

- Irrigated Tract Boundary
- - - No Right Tract Boundary
- - - Operable Ditch
- - - Inoperable Ditch
- ▲ Stock Pond / Reservoir
- Point of Diversion

(NR) No Right

Scale 1"=400'



**STATE OF NEW MEXICO**

Office of the State Engineer  
Thomas C. Turney, State Engineer

**Rio Chama Hydrographic Survey  
RIO NUTRIAS SECTION**

Subfile CHNU-002-0007  
Vega & Ben Valdez Ditches  
Amended July 23, 2001

